

COMMISSIONERS ORDER CONDEMNATION PROCEEDINGS

County Commissioners Cuddy and Booth today ordered District Attorney Sanders to commence at once condemnation proceedings against Frank Wildes, receiver of the State Bank and Trust company, condemning their building as unsafe to life of people within its walls, and ordering that fire escapes be placed upon the big structure immediately. S. R. Moore, the local agent of the building, says contracts had just been let before the fire of Wednesday morning at 2 o'clock, and the "fire escapes" will be put in place inside of ten days. The time will be granted, and if the fire ladders are not in place the upper stories will be closed. This order should have been made and complied with six years ago.

FALSE ALARM THIS AFTERNOON

The fire department was called out in response to an alarm being sent in, caused by clouds of smoke coming from the discharge pipe of "Tom" Murphy's auto, which was in front of his garage. The auto had become balky and refused to go forward, and Mr. Murphy was applying the lash with a generous supply of gasoline, which created much smoke. The party turning in the alarm supposed it was a house burning. The department laid a long line of hose and when nearing the smoking auto, discovered that there was nothing doing and receding their hose, returned to the fire house.

WILL SOON OPEN UP FOR BUSINESS AGAIN

John A. Uhlund, proprietor of the Miners' Drug store, informed a representative of the Bonanza that he will soon have his store open to the public. The store was partly insured in the Druggists' Indemnity company of St. Louis. The adjusters of that company will soon be in Tonopah to adjust the loss sustained by Mr. Uhlund in Wednesday morning's fire. Just as soon as the adjuster concludes his investigation the store will be restocked and thrown open to the public.

In the last paragraph of the article on the fire, by an oversight, the "Union" Drug store was mentioned. This was an error. The damage was done to the "Miners' Drug store and not the "Union." We stand corrected.

NO RELEASE FOR MEN ACCUSED OF KILLING GIRL

DENIED RELEASE ON HABEAS CORPUS WRIT ON CHARGE OF ACCESSORY.

BOSTON, Feb. 8.—J. G. Ettor and A. Giovannitti, both of New York, were denied release on habeas corpus by Judge Braley, of the supreme court. Arrested at Lawrence, Mass., charged with being accessories to the murder of Annie Lopez. They will remain in jail until tomorrow, when their cases come up in the police court.

During the proceedings counsel for the accused declared the fatal shot was fired by a policeman. District Attorney Atwill said, according to the autopsy, the bullet that killed the woman was a .25-caliber, while the officers on duty in that district carried .32-caliber.—Goldfield Tribune.

"DANTE'S INFERNO" HAS CONTRACTS IN CALIFORNIA

Jacob Goodfriend, who owns and controls the California state rights to exhibit "Dante's Inferno," a five-reel subject, made by the Mibona people of Italy, has just closed a contract to show this motion picture masterpiece in twelve of the leading moving picture theatres in California, owned by Turner & Dehahn, three days in each one of them. This subject is managed by M. E. Hicks, formerly operator for more than two years at the Butler. Jack Trip to the advance man.

FIRE DEPARTMENT ESTABLISHES ANOTHER RECORD

At 9 o'clock this morning a small blaze, among some rubbish at the back of and between the Owl saloon and Tonopah Grill on Main street, called out the fire department, and was extinguished with but little effort. But had it not been for the alertness of the fire boys it might have resulted in a serious conflagration, as the place was surrounded by all kinds of wooden shacks.

The run that the department made at this fire gave a splendid opportunity to make some figures as to time, and was taken advantage of by several parties, showing that within five seconds after the alarm was turned in the hose wagon was out of the fire house; in twenty seconds or a fraction less, connection was made with the hydrant at the Mizpah hotel, and in less than a minute and a half the run had been made to the scene of the fire on Main street and water turned on. If this record has ever been beaten by another fire department records fail to show it. Chief Sinclair and his gallant boys are deserving of the thanks of the people of Tonopah for their magnificent work.

BANKS WILL REMAIN OPEN UNTIL 3 O'CLOCK SATURDAY

On account of Monday being a legal holiday and Saturday being payday, the banks of Tonopah will remain open until 3 o'clock that day.

BANDITS HOLD UP TRAIN ON ROCK ISLAND ROAD

MEMPHIS, Tenn., Feb. 8.—Five men plundered the mail and express cars of Rock Island train No. 42 near Hulbert, Ark., early yesterday and made away with their booty long before an alarm was spread and the posses could seek their trail.

The holdup was so cleverly planned and executed with such precision that none of the train employees could offer resistance, and few of the passengers knew anything had happened until they awoke to find their train stalled.

The value of plunder the robbers got has not been determined. They ransacked the postal car and blasted the Wells Fargo Express company's safe, apparently overlooking nothing that might add to their profit. This was the second holdup near Hulbert within the last four months.

The train left Memphis about midnight. After it cleared the western terminus of the Mississippi river bridge it was boarded by two masked men. They climbed over the tender and covered the engine crew with guns and then the train was halted. The engineer was then bound and gagged. The fireman ran the train on several miles until told to halt at a camp fire alongside the track where three other bandits waited.

Here the baggage and mail cars were detached from the passenger coaches and before any of the train crew knew what was happening the locomotive with its light pond was hurrying further into the country.

While one of the bandits held a gun over the fireman the remaining four of the band clambered into the express and mail coaches and covered the messengers and clerks.

The engine with the two cars proceeded to a point a mile east of Hulbert, Ark. Then the robbers ransacked the postal car, blew open the safe, gathered their plunder and fled.

FIRE IN A BIG HOTEL FORCES GUESTS TO FLEE

LANSING, Mich., Feb. 8.—Several hundred guests of the Duwayne hotel were forced to depart hurriedly last night by a fire, which swept the six-story structure. The loss was \$100,000. Four firemen were overcome by smoke or sustained broken limbs.

TRUCKEE EDITOR IS SHOT BY PROMINENT BUSINESS MAN ONE BULLET IN ABDOMEN AND ANOTHER IN HEAD.

Physicians Have But Little Hope---W. H. M. Smith and P. M. Doyle Have a Deadly Battle In the Postoffice.

TRUCKEE, Cal., Feb. 8.—Two of the most prominent citizens of this town clashed yesterday morning after a wordy warfare lasting for months and the outcome will probably prove fatal.

W. H. M. Smith, owner and publisher of the Truckee Republican, proprietor of the Whitney hotel and manager of the annual winter sports, which have made the little mountain city famous, is lying unconscious with little chance to recover.

The man who shot him is P. M. Doyle, one of the leading merchants and realty owners of Truckee, president of the local electric light company and concerned in a number of other enterprises.

Incidentally, he is the backed of the rival newspaper, the Truckee Independent, and therein lies the cause for the tragedy.

The two men met yesterday morning about ten minutes before 8 o'clock in the postoffice. A war of words immediately began, which was followed by a fist fight.

Doyle, who had been endeavoring to extricate his gun, which had caught in his pocket, finally pulled it and fired twice at such close range that Smith was powder burned and his clothes singed. One bullet struck him in the face and another in the stomach.

Smith was carried to his hotel, where physicians began probing for the bullets.

The doctors offer little hope for his recovery.

Immediately after the shooting Doyle walked up to an officer and

MUCH GOOD ACCOMPLISHED AT THE RECENT MEETING OF THE NEVADA PRESS ASSOCIATION

Legal Rate for Legal Notices Will Be Maintained Throughout the State-- Association Is Now on a Permanent Footing.

(By Frank Reber.)

The meeting of the editors and publishers at Reno was a great success. It was not so much a matter of numbers as it was the concrete expression of doing along combined planes the things that will mean the great good for the state of Nevada and improvement of the opportunities along ethical lines of the profession or the work that associates with legitimate development of what may be properly termed the real province or full application of newspaper work in its editorial, news and business departments.

In the highest degree the principles of common sense prevailed and the rule applied in everything done is "what is the concern of one is the concern of all." In the higher scope of the newspaper profession there was a feeling present and action taken accordingly that the fraternity and the broad spirit of catholicism should apply. In other words, that the object of the Nevada Press Association is to bring about, irrespective of partisan and prejudicial considerations, a better feeling and a greater unanimity in all those tendencies, in all their vigor, that will make the newspaper field broader and more congenial and in true fellowship pursue that work which will gain repute for the profession, bring it legitimate business and advance the great material interests of Nevada and in the essential elements bring full success and profit for the efforts of the legitimate newspaper. In

bold and daring sense the progressive spirit prevailed and if in some instances a deficiency of culture was applied, yet in its broad scope there was a consciousness belonging to the welfare of the newspaper profession and those undertakings which mean so much in the legitimate upbuildings of Nevada and the success belonging to newspaperdom. The men present understood the line of cleavage between the irksome and uncompensated endeavor and those agreeable features that make for the betterment of the newspaper fraternity, and the general uplift that associates with the legitimate air, without shrinking from the perils that attend an independent and aggressive course belonging to the just, and what is right, for what is known "The All."

The spirit also present recognized that it is oft too true that the full and legitimate aim of a correct newspaper policy is not properly supported and that the law of compensation does not apply in their case oftentimes for the great good they do. In its real object the newspaper profession is to do good, inculcate correct ideals and in the fulfillment of so lofty a mission it was fully recognized that it often was handicapped from the fact that there was a lack of support, but that was as it may, the outgrowth of this meet is that of great good and by the further consummation of the organization will accomplish its professed object, viz: (Continued on Page Four.)

THE PRIDE AND THE SHAME OF TONOPAH

The citizens of Tonopah can well be proud of the heroic work performed by the fire department, both regular and volunteer, in so ably handling the most treacherous fire that ever visited our city. In the fire that threatened to destroy the magnificent State Bank building on Wednesday morning it was demonstrated that our firemen know their business and the courage and the knowledge displayed leaves no doubt that we have the best little fire department in the state of Nevada today.

When one stops to consider that the nature of this fire was one that called for efforts almost inhuman and the fact that it was held practically in check within a few feet from where it started, despite the threatening danger of its spreading along and up the walls to floors above; in fact, there were several instances when the fire gained partial headway up to the third floor, but was always instantly checked by the valorous work and efforts of our most valiant firefighters.

Not only the best fire department, but we have also an excellent water service. Five large streams were in use at the same time, sending water to the top of the building, and this without drawing a drop from the large tanks on Brougher mountain. The United Water company has every reason to feel proud of their water system under its present management.

The State Bank building, while representing one of the best buildings in Tonopah and the state, is nevertheless a veritable firetrap and so it was shown up to be by the late fire. Without discussing what might have happened in the conflagration of Wednesday morning, it suffices to say that it is an everlasting disgrace to Tonopah and the county of Nye that the avareness of the owners of this building is not curtailed and there must be some law by which they could be forced to equip this structure with the proper means of escape in case of fire. This is especially true in view of the fact that there are quite a number of people sleeping in this building at night.

Our county officials ought to awake to the necessity of enforcing such laws as there are governing this total lack of public safety, and if there are no laws that give our county fathers the right to insist that fire escapes are put on this building at once, it is high time that such laws are made and put into effect at the earliest possible moment.

TO GIVE PRESIDENT POWER TO ACT ON MEXICAN BORDER

WASHINGTON, Feb. 8.—Legislation to give to the president added power to protect Americans along the Mexican border in case of another Mexican outbreak is to be introduced in the house soon by the members of the foreign affairs committee.

Representative Foster is formulating proposed laws that will meet the view of the president and the state department as to the powers that should be given the executive head of the department.

Representative Smith of Texas yesterday urged the passage of his resolution to instruct the state department to press claims of Americans at El Paso and Douglas, who were injured or suffered loss on American soil from stray bullets from the battles Juarez and Agua Prieta.

EL PASO, Texas, Feb. 8.—The election of Pasqual Orozco as governor of Chihuahua by the state legislature yesterday is hoped by the friends of Madero to be the first step toward restoration of peace in Chihuahua. If Orozco remains loyal to Madero, it is believed he can put down the trouble.

A telegram received in Juarez yesterday, dated Jimenez and signed by Abram Gonzalez, Mexican minister of Gobernacion, stated that Gonzalez was leaving there for

SILVER AT THE HIGHEST POINT IN YEARS.

59 7-8 CENTS

Today silver is quoted at 59 7/8 per ounce. This is the highest point the white metal has reached since the discovery of Tonopah. Let the good work continue.

APPOINTMENT OF JUDGE HOOK NOW SEEMS DOUBTFUL

WASHINGTON, Feb. 8.—Following an hours' session of the four lawyers in President Taft's cabinet yesterday it became known that the proposed nomination of Judge William C. Hook of Kansas to the supreme court had been held up and probably would not be sent to the senate, as President Taft had intended.

According to Kansans at the White House yesterday, the latest protests against Judge Hook have grown out of an Oklahoma case, in which an attempt was made to secure dining car and sleeping car privileges for negroes. The United States court, Judge Hook concurring, decided that it was optional with the railroads to furnish cars for negroes.

Representative Anthony of Kansas yesterday told President Taft that many negroes in his state had withdrawn their protest against Judge Hook.

Although the friends of Judge Hook were not ready yesterday to admit that the latest protests will prevent his nomination, it was said the president had opened up the whole question again and that Secretary of Commerce and Labor Nagel and Senator Sutherland of Utah are again being considered. Mr. Nagel was not present at the cabinet meeting. It is well known that he has a strong advocate in Attorney General Wickersham and other members of the president's official family.

NARROWLY ESCAPE SERIOUS INJURY AT JUMBO EX.

CAGE FALLS WITH TWO MEN, WHO ARE BUT SLIGHTLY INJURED.

Yesterday an accident happened in the shaft of the Jumbo Extension which might have been very serious. John Mangan and Daniel O'Neill, with some timbers, were descending in the cage when it stopped with a jerk and then fell. O'Neill was struck on the head by the timbers and rendered unconscious, and he tumbled partially off the cage.

Mangan instantly caught him and really saved his life. The cage fell some distance, but no one seems to know just how far. The engineer, William Reed, is considered one of the best in the district. O'Neill received a number of painful bruises, but Mangan was so slightly injured that he went back to work.—Goldfield Tribune.

Eagle Pass and El Paso, en route to Juarez. Gonzalez was reported yesterday as a prisoner of the rebels at Jimenez.

PENSACOLA, Fla., Feb. 8.—Contrary to expectations two companies of the coast artillery stationed at Fort Barrancas did not depart for the Mexican frontier yesterday. All of the soldiers were ordered to remain at the fort and leaves of absence were cancelled.

Officials expressed the belief that the war department was merely anxious to ascertain how quickly the troops could be assembled in case of emergency.